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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,714	04/06/2001	Bruce Ross	56970	5603

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EXAMINER

SHIFERAW, ELENI A

ART UNIT PAPER NUMBER

2136

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,714

Applicant(s)

ROSS, BRUCE

Examiner

Eleni A Shiferaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 06 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) *
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-15 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 5-6, 10, 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawan (U.S. Patent No. 6,289,324 B1).

- 3.1 As per claim 1, Kawan teaches a smart card including a memory with a defined data file structure, said data file structure (Kawan Col. 10 lines 27-31, col. 3 lines 1-7) comprising:-

at least one read only field (Kawan Col. 8 lines 33-38, Col. 10 lines 18-31, Fig. 2 No. 204);

at least one encrypted read/write field (Kawan Col. 4 lines 49-62); and

at least one non-encrypted read/write field (Kawan Col. 4 lines 33-43).

- 3.2 As per claim 5, Kawan teaches a transaction system (Kawan Col. 2 lines 21-27) including:

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at least one smart card authorization device (Kawan Col. 4 lines 26-32, Fig. 2 No. 210);

a communication interface (Kawan Col. 4 lines 26-32, Fig. 2 No. 208); and

a transaction verification server (Kawan Col. 3 lines 29-39);

wherein the smart card authorization device interacts with a defined data file structure provided on a smart card (Kawan Col. 3 lines 1-7, col. 10 lines 18-31).

3.3 As per claim 10, Kawan teaches a transaction system (Kawan Col. 3 lines 29-56) comprising:

at least one smart card including a memory with a defined data structure (Kawan Col. 3 lines 1-7, col. 10 lines 18-31), wherein said defined data structure includes at least one read only field (Kawan Fig. 2 No. 204), at least one encrypted read/write field (Kawan Col. 4 lines 49-62, col. 9 lines 17-26), and at least one non-encrypted read/write field (Kawan Col. 4 lines 33-43); and

read/write means for reading and writing data to the memory of the smart card (Kawan Col. 4 lines 33-43, Fig. 2 No. 204, 206), wherein said read/write means includes an application program interface that utilizes a predefined set of commands to control the reading and writing of data to the memory card based on the defined data structure (Kawan Col. 3 lines 1-7, col. 10 lines 18-31).

3.4 As per claim 6, Kawan teaches a transaction system, wherein said data file structure (Kawan Col. 10 lines 18-31) comprises:

at least one read only field (Kawan Col. 8 lines 33-38, Col. 10 lines 18-31, Fig. 2 No. 204);

at least one encrypted read/write field (Kawan Col. 4 lines 49-62); and

at least one non-encrypted read/write field (Kawan Col. 4 lines 33-43).

3.5 As per claim 14, Kawan teaches a transaction system, wherein the read/write means further comprises means for encrypting and decrypting data read from and written to said encrypted data field (Kawan Col. 10 lines 12-17).

3.6 As per claim 15, Kawan teaches a transaction system, wherein the predefined commands include a set of general commands, a set of read commands and a set of write commands (Kawan Col. 10 lines 18-31, col. 4 lines 33-43).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 4, 7, 9, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawan (U.S. Patent No. 6,289,324 B1) in view of Griswold et al. (Griswold, U.S. Patent 6,629,591 B1).

5.1 As per claim 2, Kawan teaches all the subject matter as described above.

Kawan does not explicitly teach the read only field including at least one of a manufacturer identification field, a card identification field and a theater identification field,

However Griswold teaches a smart card, wherein the read only memory includes at least one of a manufacturer identification field, a card identification field and a theater identification field (Griswold Col. 6 lines 53-65; ROM inside the smart card contains secure information, PINs),

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Griswold with in the system of Kawan because it would securely keep security information (Griswold Col. 6 lines 53-65). Therefore it is obvious to have at least one of a manufacturer identification field, a card identification field and a theater identification field included wherein the read only field because identification field would be secured.

5.2 As per claim 4, Kawan, and Griswold teach all the subject matter as described above. In addition Griswold teaches a smart card, wherein the non-encrypted read/write field includes at least one of a first dollar value display field, a second dollar value display field, a first point value display field, a second point value display field and a user defined field (Griswold Col. 10 lines 9-22).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Griswold with in the system of Kawan because it would display user transaction information without comprising data integrity.

5.3 As per claims 7 and 11, Kawan and Griswold teach all the subject matter as described above. In addition, Griswold teaches a transaction system, wherein the read only memory includes at least one of a manufacturer identification field, a card identification field and a theater identification field (Griswold Col. 6 lines 53-65; ROM inside the smart card contains secure information, PINs) The rationale for combining are the same as claim 2 above.

5.4 As per claim 9, Kawan, and Griswold teach all the subject matter as described above. In addition Griswold teaches a transaction system, wherein the non-encrypted read/write field includes at least one of a first dollar value display field, a second dollar value display field, a first point value display field, a second point value display field and a user defined field (Griswold Col. 10 lines 9-22) The rationale for combining are the same as claim 4 above.

5.5 As per claim 13, Kawan, and Griswold teach all the subject matter as described above. In addition Griswold teaches a transaction system, wherein the non-encrypted read/write field includes at least one of a first dollar value display field, a second dollar value display field, a first point value display field, a second point value display field and a user defined field (Griswold Col. 10 lines 9-22) The rationale for combining are the same as claim 4 above.

6. Claims 3, 8, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawan (U.S. Patent No. 6,289,324 B1) in view of Griswold et al. (Griswold, U.S.

Patent 6,629,591 B1), and in further view of Carlisle et al. (Carlisle, (U.S. Patent No. 5,649,118).

6.1 As per claim 3, Kawan and Griswold teach all the subject matter as described above. Kawan and Griswold do not explicitly teach a transaction log in the smart card.

However Carlisle teaches a smart card log file (Carlisle Col. 13 lines 55-67, col. 14 lines 26-35) that reads on a smart card, wherein the encrypted read/write field includes at least one of a transaction log field, an issue date field, a first dollar value field, a second dollar value field, a first point value field, a second point value field and a ticket storage field,

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Carlisle with in the combination system of Kawan and Griswold because it would contain a message that comprises sequence number, date and time, and the identification information (Carlisle col. 14 lines 26-35). Therefore it is obvious to include at least one of a transaction log field, an issue date field, a first dollar value field, a second dollar value field, a first point value field, a second point value field and a ticket storage field because it would give a clear information about the smart card transaction.

6.2 As per claims 8 and 12, Kawan, Griswold, and Carlisle teach all the subject matter as described above. In addition, Carlisle teaches a smart card log file (Carlisle Col. 13 lines 55-67, col. 14 lines 26-35) that reads on a transaction system, wherein the encrypted read/write field includes at least one of a transaction log field, an issue date

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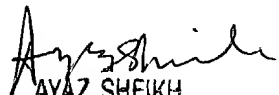
field, a first dollar value field, a second dollar value field, a first point value field, a second point value field and a ticket storage field. The rationale for combining are the same as claim 3 above.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A Shiferaw whose telephone number is 703-305-0326. The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eleni Shiferaw
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